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Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

TRACY WATSON, RENEE STALKER,
PAM STALKER as Guardian Ad Litem for
O.S., S.W., and R.W., minors,

Plaintiffs,

v.

COUNTY OF SANTA CLARA, et al,

Defendants.

Case No. C06-4029 RMW

**STIPULATION AND ORDER TOLLING
TIME TO OBJECT TO EVERGREEN
DEFENDANTS' BILL OF COSTS**

The parties in the above-captioned action, Plaintiffs and Evergreen Defendants Clifton Black, Rose Real, Cheryl Harms, Claudia Blodgett, Gary Kishimoto, Robert Pruitt, Joella Molloy and the Evergreen School District submit this Stipulation and Order to Toll the time for filing the Plaintiffs' opposition to Evergreen Defendants' Bill of Costs. This stipulation is based on the fact that the parties have agreed to mutually release one another

1 from the claims and disputes in this action. The release and compromise document has not yet
 2 been finalized and executed. Because the agreement contemplates among other terms a waiver
 3 of costs on behalf of the defendants in exchange for a waiver of appeal, the issue of the cost
 4 bill would be rendered moot upon completion of the settlement.

5
 6 In the unlikely event that the parties cannot agree to the language of a settlement
 7 agreement the plaintiffs shall be required to file and serve an opposition to the Evergreen
 8 Defendants' Bill of costs, within two days following receipt of notice from Evergreen
 9 Defendants' counsel that the efforts to complete a mutually acceptable written agreement are
 10 terminated.

11 The parties recognize this order may not be signed until after the date the opposition
 12 is due but nonetheless agree to the adhere to the stipulation.

13 I hereby attest that I have on file, all holograph signatures for any signatures indicated
 14 by a "conformed signature" [/S/] within this e-filed document.
 15
 16
 17

18 Dated: August 12, 2010

By: /S/
 Peter Johnson, Esq.
 Attorney for Plaintiffs

19
 20 Dated: August 12, 2010

By: /S/
 Robert R. Powell, Esq.
 Attorney for Plaintiffs

21
 22
 23 Dated: August 12, 2010

By: /S/
 Jacquelyn K. Wilson, Esq.
 Attorney for Evergreen School District
 Defendants

ORDER

THE FOREGOING STIPULATION IS APPROVED, AND IT IS SO ORDERED.

Dated: 8/17/10


Hon. Ronald M. Whyte